

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

**MICHAEL WIN, YOLANDA
HOLMES, SUNDY E. WHITESIDE,
AND ELEANOR KIM BANKS,
individually and on behalf of others
similarly situated,**

Plaintiffs,

v.

**HUMAN DEVELOPMENT
CORPORATION OF
METROPOLITAN ST. LOUIS,
RUTH A. SMITH, CHARLES
BARGE, JR., CLAUDE BROWN,
JOHN HAIGLER, and MICHAEL
MCMILLAN,**

Defendant.

Case No. 4:11-cv-01971

MOTION TO WITHDRAW AS COUNSEL

Rodney A. Harrison and Robert L. Ortals, Jr. of Ogletree, Deakins, Nash, Smoak & Stewart, P.C. (“Ogletree Deakins”) move to withdraw as counsel of record for Defendant Ruth A. Smith and state as follows:

1. On December 22, 2011, Smith agreed to terminate her relationship with Ogletree Deakins as her counsel in this action.

2. Upon information and belief, Smith has been searching for substitute counsel to represent her in this action but has not yet retained new counsel.

3. Contemporaneously herewith, undersigned counsel is filing an unopposed motion for extension of time for Defendants Human Development Corporation of Metropolitan St. Louis, Charles Barge, Jr., and Claude Brown to file their answer in this action. Undersigned

counsel also requests that the Court grant Smith an extension until January 19, 2012 in which to file her answer to Plaintiffs' Complaint so that she can be afforded the opportunity to retain new counsel.

WHEREFORE, Rodney A. Harrison and Robert L. Ortals, Jr. of Ogletree, Deakins, Nash, Smoak & Stewart, P.C., respectfully request that the Court grant their Motion withdrawing them as counsel of record for Ruth A. Smith, and allowing Ruth A. Smith additional time, up to and including January 19, 2012, to file her answer to Plaintiff's Complaint so that she can retain new counsel.

Respectfully submitted,

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

/s/ Robert L. Ortals, Jr.

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Attorneys for Defendants
Human Development Corporation of
Metropolitan St. Louis, Charles Barge, Jr.,
and Claude Brown

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on January 4, 2012.

KUHLMANN LLC
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and

RIGGAN LAW FIRM, LLC
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ST. LOUIS, MO 63104

Attorneys for Plaintiffs

Craig Higgins
Assistant City Counselor
Room 314, City Hall
1200 Market Street
St. Louis, MO 63103

Attorney for Defendant Hon. Michael McMillian

I further certify that a copy of the foregoing was served on January 4, 2012 via U.S. mail, postage prepaid, to the following:

Ruth A. Smith
11449 Prentice
Florissant, MO 63033

Nelson B. Rich, Esq.
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/s/ Robert L. Ortals, Jr.
Attorneys for Defendants
Human Development Corporation of
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Claude Brown

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